

FEEDS AND GRAINS

20159. Adulteration and misbranding of alfalfa meal. U. S. v. H. E. Clark Alfalfa Mills, Inc., and Harold E. Clark. Pleas of nolo contendere. Fine of \$30, plus costs, against each defendant. (F. D. C. No. 33859. Sample Nos. 5319-L, 6301-L.)

INFORMATION FILED: December 23, 1952, District of Kansas, against H. E. Clark Alfalfa Mills, Inc., Howard, Kans., and Harold E. Clark, president of the corporation.

ALLEGED SHIPMENT: On or about September 19, 1951, from the State of Kansas into the State of New Hampshire.

LABEL, IN PART: "Alfalfa Meal H. E. Clark Company Winfield Kansas 17% Dehydrated Alfalfa Meal."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 17 percent of protein had been substituted for a product containing 17 percent of protein, which the article was represented to be.

Misbranding, Section 403 (a), the label statement "Guaranteed Analysis Crude Protein, not less than 17.0%" was false and misleading since the article contained less than 17 percent of protein.

DISPOSITION: March 12, 1953. The defendants having entered pleas of nolo contendere, the court fined each defendant \$30, plus costs.

20160. Misbranding of Block-O-Milk (poultry feed). U. S. v. 24 Cartons * * *. (F. D. C. No. 34529. Sample Nos. 19832-L, 65187-L.)

LIBEL FILED: January 7, 1953, District of Minnesota.

ALLEGED SHIPMENT: On or about November 19, 1952, by the Hess Condensed Buttermilk Co., from Dyersville, Iowa.

PRODUCT: 24 50-pound cartons of Block-O-Milk at Spring Valley, Minn.

LABEL, IN PART: "Hess' Blue Banner Block-O-Milk By Products for Chickens and Turkeys Ingredients Buttermilk and Whey—Total Solids Including Lactic Acid Not Less Than 62.0%."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Total Solids * * * Not Less than 62.0%" was false and misleading as applied to the product, which contained substantially less than 62.0 percent total solids, and the label statement "Block-O-Milk" was false and misleading as applied to a mixture of whey and buttermilk.

DISPOSITION: March 23, 1953. Default decree of destruction.

FISH AND SHELLFISH

20161. Adulteration of frozen flounder and fluke. U. S. v. 84 Boxes * * *. (F. D. C. No. 34453. Sample No. 50034-L.)

LIBEL FILED: January 2, 1953, Southern District of New York.

ALLEGED SHIPMENT: Between November 19 and 25, 1952, from New Bedford, Mass., and Wildwood, N. J.

PRODUCT: 84 boxes, each containing 10 pounds, of frozen flounder and frozen fluke at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of decomposed substances by reason of the presence of

decomposed fish. The products were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 7, 1953. Default decree of condemnation and destruction.

20162. Misbranding of frozen grouper fillets. U. S. v. 80 Cases * * *. (F. D. C. No. 34694. Sample No. 2745-L.)

LIBEL FILED: March 3, 1953, Southern District of Florida.

ALLEGED SHIPMENT: On or about January 20, 1953, by Ernest Busker, trading as Caribbean Queen Products, Ltd., from Belize, British Honduras.

PRODUCT: 80 cases, each containing 10 5-pound cartons, of frozen grouper fillets at Miami, Fla.

LABEL, IN PART: (Carton) "Grouper Fillets"; (individually wrapped fillet) "Genuine Red Snapper Fillet."

NATURE OF CHARGE: Misbranding, Section 403 (a), the statement "Genuine Red Snapper Fillet" on the individually wrapped fillets in each 5-pound carton was false and misleading as applied to the product, which was grouper.

DISPOSITION: March 13, 1953. The shipper, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled under the supervision of the Federal Security Agency.

20163. Adulteration of frozen skinless pollock fillets. U. S. v. 276 Cases * * *. (F. D. C. No. 34701. Sample No. 54389-L.)

LIBEL FILED: February 10, 1953, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about January 19, 1953, by the Collins-Lee Co., from Boston, Mass.

PRODUCT: 276 cases, each containing 5 10-pound cartons, of frozen skinless pollock fillets at Green Bay, Wis.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed fish.

DISPOSITION: March 24, 1953. The shipper, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency. 187 cases, each containing 5 10-pound cartons, were salvaged as fit for human consumption.

20164. Adulteration of frozen whitefish. U. S. v. 443 Pounds * * *. (F. D. C. No. 34634. Sample No. 50047-L.)

LIBEL FILED: January 30, 1953, District of New Jersey.

ALLEGED SHIPMENT: On or about September 18, 1952, from New York, N. Y.

PRODUCT: 443 pounds of frozen whitefish at Monmouth Beach, N. J.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed fish. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: March 2, 1953. Default decree of condemnation and destruction.